

#3

Docket No. ACS-57406 (2898P)
Page 1 of 4

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names, William J. Boyle, Benjamin C. Huter, Scott J. Huter and John E. Papp.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled FLEXIBLE AND CONFORMABLE EMBOLIC FILTERING DEVICES the specification of which (check one)

___ is attached hereto

X was filed on December 21, 2001

Application Serial No. 10/027,915

and was amended on (or amended through) _____

(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code,

Sec. 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>
None				

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Appln. Serial No.</u>	<u>Filing Date</u>	<u>Status (patented, pending, abandoned)</u>
None		

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; THOMAS A HASSING, Registration No. 36,159; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; JAMES JUO, Registration No. 36,177; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510, HOWARD N. SOMMERS, Registration No. 24, 138; and GUNTHER O. HANKE, Registration No. 32,989.

Direct all telephone calls to Thomas H. Majcher at telephone number (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045

Full name of first inventor: William J. Boyle

Inventor's signature: _____

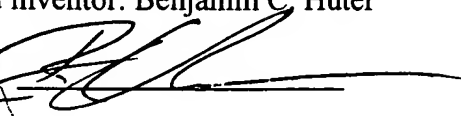
Date: _____, 2002

Residence: Fallbrook, California

Citizenship: USA

Post Office Address: 3119 Cherrypoint Court, Fallbrook, California 92028

Full name of second inventor: Benjamin C. Huter

Inventor's signature: 

Date: 1/28, 2002

Residence: Murrieta, California

Citizenship: USA

Post Office Address: 24375 Jackson Avenue, I-307, Murrieta, California 92562

Full name of third inventor: Scott J. Huter

Inventor's signature: _____

Date: _____, 2002

Residence: Temecula, California

Citizenship: USA

Post Office Address: 43390 Corte Almeria, Temecula, California 92591

Full name of fourth inventor: John E. Papp

Inventor's signature: _____

Date: _____, 2002

Residence: Temecula, California

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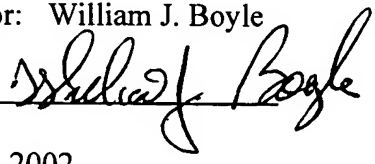
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Full name of first inventor: William J. Boyle

Inventor's signature: 

Date: 1/25, 2002

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Citizenship: USA

Post Office Address: 3119 Cherrypoint Court, Fallbrook, California 92028

Full name of second inventor: Benjamin C. Huter

Inventor's signature: _____

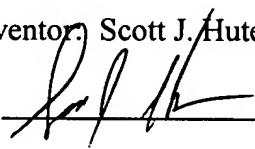
Date: _____, 2002

Residence: Murrieta, California

Citizenship: USA

Post Office Address: 24375 Jackson Avenue, I-307, Murrieta, California 92562

Full name of third inventor: Scott J. Huter

Inventor's signature:  _____

Date: 1/25, 2002

Residence: Temecula, California

Citizenship: USA

Post Office Address: 43390 Corte Almeria, Temecula, California 92591

Full name of fourth inventor: John E. Papp

Inventor's signature: _____

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Inventor's signature: John E. Papp

Date: JAN, 30, 2002

Residence: Temecula, California

Citizenship: Australia

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